

SEC. 3. REQUIREMENT TO ALLOW USERS TO SEE UNMANIPULATED CONTENT ON INTERNET PLATFORMS.

(a) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of this Act, it shall be unlawful—

(1) for any person to operate a covered internet platform that uses an opaque algorithm unless the person complies with the requirements of subsection (b); or

(2) for any upstream provider to grant access to an index of web pages on the internet under a search syndication contract that does not comply with the requirements of subsection (c).

(b) OPAQUE ALGORITHM REQUIREMENTS.—

(1) IN GENERAL.—The requirements of this subsection with respect to a person that operates a covered internet platform that uses an opaque algorithm are the following:

(A) The person provides notice to users of the platform that the platform uses an opaque algorithm that makes inferences based on user-specific data to select the content the user sees. Such notice shall be presented in a clear, conspicuous manner on the platform whenever the user interacts with an opaque algorithm for the first time, and may be a one-time notice that can be dismissed by the user.

(B) The person makes available a version of the platform that uses an input-transparent algorithm and enables users to easily switch between the version of the platform that uses an opaque algorithm and the version of the platform that uses the input-transparent algorithm by selecting a prominently placed icon, which shall be displayed wherever the user interacts with an opaque algorithm.

(2) NONAPPLICATION TO CERTAIN DOWNSTREAM PROVIDERS.—Paragraph (1) shall not apply with respect to an internet search engine if—

(A) the search engine is operated by a downstream provider with fewer than 1,000 employees; and

(B) the search engine uses an index of web pages on the internet to which such provider received access under a search syndication contract.

(c) SEARCH SYNDICATION CONTRACT REQUIREMENT.—The requirements of this subsection with respect to a search syndication contract are that—

(1) as part of the contract, the upstream provider makes available to the downstream provider the same input-transparent algorithm used by the upstream provider for purposes of complying with subsection (b)(1)(B); and

(2) the upstream provider does not impose any additional costs, degraded quality, reduced speed, or other constraint on the functioning of such algorithm when used by the downstream provider to operate an internet search engine relative to the performance of such algorithm when used by the upstream provider to operate an internet search engine.

SEC. 4. ENFORCEMENT BY FEDERAL TRADE COMMISSION.

(a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this Act by an operator of a covered internet platform shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) POWERS OF COMMISSION.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(2) PRIVILEGES AND IMMUNITIES.—Except as provided in paragraph (3), any person who violates this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) COMMON CARRIERS AND NONPROFIT ORGANIZATIONS.—Notwithstanding section 4, 5(a)(2), or 6 of the Federal Trade Commission Act (15 U.S.C. 44, 45(a)(2), 46) or any jurisdictional limitation of the Commission, the Commission shall also enforce this Act, in the same manner provided in paragraphs (1) and (2) of this paragraph, with respect to—

(A) common carriers subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.) and Acts amendatory thereof and supplementary thereto; and

(B) organizations not organized to carry on business for their own profit or that of their members.

(4) AUTHORITY PRESERVED.—Nothing in this Act shall be construed to limit the authority of the Commission under any other provision of law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 267—DESIGNATING JUNE 12, 2021, AS “WOMEN VETERANS APPRECIATION DAY”

Mr. BOOKER (for himself, Mrs. BLACKBURN, Mr. BRAUN, and Ms. ROSEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 267

Whereas, throughout every period of the history of the United States, women have proudly served the United States to secure and preserve freedom and liberty for—

- (1) the people of the United States; and
- (2) the allies of the United States;

Whereas women have formally been a part of the United States Armed Forces since the establishment of the Army Nurse Corps in 1901 but have informally served the United States since the inception of the United States military;

Whereas women have served the United States honorably and with valor, including—

- (1) as soldiers disguised as males during the American Revolution and the Civil War;
- (2) as nurses during World War I and World War II; and
- (3) as combat helicopter pilots in Afghanistan;

Whereas, as of April 2020, women constitute approximately 17 percent of United States Armed Forces personnel on active duty, including—

- (1) 21 percent of active duty personnel in the Air Force;
- (2) 20 percent of active duty personnel in the Navy;
- (3) 15 percent of active duty personnel in the Army;
- (4) 9 percent of active duty personnel in the Marine Corps; and
- (5) 15 percent of active duty personnel in the Coast Guard;

Whereas, as of April 2020, women constitute nearly 21 percent of personnel in the National Guard and Reserves;

Whereas, as of April 2020, women comprise nearly 25 percent of the personnel in the National Guard and Reserves activated to support COVID-19 response efforts;

Whereas, in 2020—

(1) the population of women veterans reached 2,000,000, which represents an exponential increase from 713,000 women veterans in 1980; and

(2) women veterans constitute more than 10 percent of the total veteran population;

Whereas an estimated 1 in 4 women veterans enrolled in the healthcare system of the Department of Veterans Affairs report having experienced military sexual trauma (MST) during their military service;

Whereas the United States is proud of, and appreciates, the service of all women veterans who have demonstrated great skill, sacrifice, and commitment to defending the principles upon which the United States was founded and which the United States continues to uphold;

Whereas women veterans have unique stories and should be encouraged to share their recollections through the Veterans History Project, which has worked since 2000 to collect and share the personal accounts of wartime veterans in the United States; and

Whereas, by designating June 12, 2021, as “Women Veterans Appreciation Day”, the Senate can—

(1) highlight the growing presence of women in the Armed Forces and the National Guard; and

(2) pay respect to women veterans for their dutiful military service: Now, therefore, be it

Resolved, That the Senate designates June 12, 2021, as “Women Veterans Appreciation Day” to recognize the service and sacrifices of women veterans who have served valiantly on behalf of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2118. Ms. CORTEZ MASTO (for Mr. GRASSLEY) proposed an amendment to the bill S. 1511, to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes.

TEXT OF AMENDMENTS

SA 2118. Ms. CORTEZ MASTO (for Mr. GRASSLEY) proposed an amendment to the bill S. 1511, to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes; as follows:

On page 2, strike lines 7 through 12 and insert the following:

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “the Bureau shall pay”; and

(B) by inserting “, and calculated in accordance with subsection (i), shall be payable by the Bureau” after “subsection (h)”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GILLIBRAND. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate: